THE HON'BLE MS JUSTICE G.ROHINI

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WRIT PETITION NO : 22955 of 2005

Dated: 13 -12-2005

Between:

B.Thimmappa

..... PETITIONER

AND

The Government of Andhra Pradesh,

Rep. Byits StationHouse Officer, Gattu Mandal,

Mahaboobnagar District.

.....RESPONDENT

THE HON'BLE MS JUSTICE G.ROHINI

–

WRIT PETITION NO : 22955 of 2005

O R D E R:

This writ petition is filed seeking to declare the action of the respondent-Station House Officer, Gattu Police Station, Gattu Mandal, Mahboobnagar District, in calling the petitioner to the Police Station every day and threatening to detain him illegally, as arbitrary and illegal.

The petitioner claims that no crime is pending against him in any Police Station. It is alleged that in spite of the said fact, the respondent has been threatening to detain him illegally so as to prevent him from exercising his fundamental right to participate in the elections.

This Court by order dated 08-11-2005 in W.P.M.P.No.29406 of 2005 directed the respondent not to interfere with the personal liberty of the petitioner in case no crime is registered against him as on the date in connection with any offence.

A counter affidavit has been filed by the Sub-Inspector of Police, Gattu Police Station, in which the fact that as on today no cases are pending against the petitioner on the file of the Gattu Police Station has not been disputed. However, the respondent denied the allegation of the petitioner that he has been harassed at the instigation and influence of the political rivals. It is further stated that a rowdy sheet, which was closed against the petitioner previously,

was reopened on 10-08-2004 and the same is being continued as on today. The respondent also states that since the petitioner indulged in illegal activities, his movements are being watched closely by the Police authorities.

Learned counsel for the petitioner across the bar states that questioning the order of the respondent dated
10-08-2004 re-opening the rowdy sheet, the petitioner has preferred W.P.No.25043 of 2005, which is pending before this Court.

In the circumstances, recording the above statements of the respondent in the counter affidavit, the writ petition is disposed of. However, in case the petitioner indulges in any illegal activity, this shall not preclude the respondent to take the necessary action following due process of law. No costs.

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G.ROHINI,J

Date: 13-12-2005

klp